

Serial No. 10/784,199

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Attorney Docket No. 15-046

FEB 16 2007

REMARKS

Please consider the following comments. Following this response, claims 1-10 are pending. Applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Rejections – 35 U.S.C. § 102

The Examiner has rejected claim 1 under 35 U.S.C. § 102(b) as being allegedly anticipated by United States Patent No. 3,428,820 to Lyon ("Lyon"). Applicant respectfully traverses this rejection.

However, in an effort to further prosecution, Applicant has amended claim 1 to recite "a first divider resistor connected between the power source and a divider node; a second divider resistor connected between the divider node and ground; and a voltage comparator connected to the power source for comparing a divided voltage at the divider node with a reference voltage and for outputting a control signal when the divided voltage is higher than the reference voltage." Support for these amendments can be found, for example, in Applicant's specification, page 7, lines 12-16, and FIGs.2-5. No new matter is being added by these amendments.

Lyon discloses that its over-voltage sensing Zener diode 58 is normally non-conductive in the reverse direction, and the transistor 60 is likewise normally non-conductive. But when an excessive voltage is provided by battery source 14, Zener diode 58 begins to conduct, causing a voltage drop across the resistor 64, thereby driving the transistor 60 into current saturation. But the voltage at which this happens (i.e., an over-voltage trigger voltage) is fixed by the properties of the Zener diode 58 and cannot be changed. (See, e.g., Lyon, column 4, lines 53-64, and FIG. 2.)

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In contrast, amended claim 1 recites first and second divider resistors for creating a divided voltage, and a voltage comparator for comparing the divided voltage with a reference voltage. Nothing in Lyon discloses or suggests this particular combination of elements. In particular, nothing shows first and second divider resistors, or a voltage comparator for comparing a divided voltage with a (possibly adjustable) reference voltage.

An example of this recited circuit can be seen in Applicant's FIGs. 2-5. In particular, the operation of the transistor 56 is controlled by the two divider resistors 53, 54, the reference voltage source, and the comparator 51, which can be easily modified to change the triggering. Applicant specifically notes in the specification that the predetermined voltage level at which the protecting switch SW is switched from ON to OFF and OFF to ON can be arbitrarily set by changing the divider resistors 53, 54 or the reference voltage Vos. (See, e.g., Applicant's specification, page 7, lines 12-16, and FIGs.2-5.) Nothing in Lyons or any of the other cited documents even hints at such a feature.

Therefore, for at least the reasons given above, Applicants respectfully request that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 102(b) as being allegedly anticipated by Lyon.

Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 1-5 and 7 under 35 U.S.C. § 103(a) as being allegedly unpatentable over United States Patent No. 5,703,412 to Takemoto et al. ("Takemoto") in view of Lyon.

Claim 1 is allowable for at least the reasons given above with respect to the rejection under 35 U.S.C. § 102(b). Takemoto does not cure the deficiencies in Lyon noted above. In particular, nothing in Takemoto discloses or suggests the use of first and second divider resistors,

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or a voltage comparator for comparing a divided voltage with a reference voltage, as recited in amended claim 1.

Claims 2-5 and 7 depend from claim 1 and are allowable for at least the reasons given above for claim 1.

Therefore, for at least the reasons given above, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-5 and 7 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Takemoto in view of Lyon.

The Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Takemoto in view of Lyon, and further in view of United States Patent No. 5,904,287 to Brkovic ("Brkovic").

Claim 6 depends from claim 1 and is allowable for at least the reasons given above for claim 1. Brkovic does not cure the deficiencies in Lyon and Takemoto noted above. In particular, nothing in Brkovic discloses or suggests the use of first and second divider resistors, or a voltage comparator for comparing a divided voltage with a reference voltage, as recited in amended claim 1.

Therefore, for at least the reasons given above, Applicants respectfully request that the Examiner withdraw the rejection of claim 6 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Takemoto in view of Lyon, and further in view of Brkovic.

New Claims

By this response, Applicant has added new claims 10-16. No new matter has been added in these new claims. Applicant respectfully requests that the Examiner enter and consider these new claims. Support for these amendments can be found, for example, in Applicant's specification, on page 7, lines 12-16, and FIGs.2-5.

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RECEIVED
CENTRAL FAX CENTER**Conclusion**

For all the reasons advanced above, the applicant respectfully submits that pending **FEB 16 2007**
claims 1-10, as amended are allowable.

In particular, the applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, the applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

The applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples the applicant have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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